

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

BIS ADVANCED SOFTWARE SYSTEMS,  
LTD.,

Plaintiff,

v.

RED BEND SOFTWARE, INC.,  
RED BEND, LTD.,  
TIME WARNER INC.,  
ICQ, INC.  
INSTALLSHIELD SOFTWARE CORP.,  
and  
SCANSOFT, INC.

Defendants.

**FILED  
IN CLERKS OFFICE**

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

Civil Action No. 04cv11960 (RWZ)

**LOCAL RULE 16.1(D)(3) CERTIFICATION**

ScanSoft, Inc., and counsel for ScanSoft, Inc., hereby certify that they have conferred:

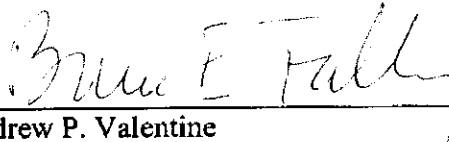
(a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

SCANSOFT, INC.



Richard Wong  
Dated: January 19, 2005

DLA PIPER RUDNICK GRAY CARY US LLP



Andrew P. Valentine  
Bruce E. Falby  
Attorneys for Defendants  
InstallShield Software Corp.  
and ScanSoft, Inc.  
Dated: January 21, 2005

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CERTIFICATE OF SERVICE  
I hereby certify that a true copy of the above  
document was served upon the attorney of record  
for each other party by mail (by hand) on 1/21/05  
Bruce E. Falby & fax